

EXHIBIT 1-D



Eli Wade-Scott <ewadescott@edelson.com>

[Ext] Melvin v. 23andMe, Inc., No. 24-cv-487-EMC (N.D. Cal.) - Request for Email Addresses

4 messages

Rebekah.Guyon@gtlaw.com <Rebekah.Guyon@gtlaw.com>

Thu, Feb 15, 2024 at 1:52 PM

To: aprather@edelson.com

Cc: Ballon@gtlaw.com, ocarrollK@gtlaw.com, Adam.Korn@gtlaw.com, Cassidy.Kim@gtlaw.com, Laura.Lacarccl@gtlaw.com, Chrystal.Pham@gtlaw.com, ewadescott@edelson.com, rbalabanian@edelson.com, movca@edelson.com, hhilgoss@edelson.com, epenkowski@edelson.com

Counsel,

Please advise whether you will share with us the email addresses that the named plaintiffs used to create their 23andMe accounts, as we investigate their claims.

Regards,

Rebekah S. Guyon

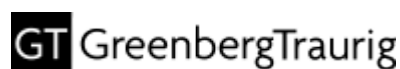
Shareholder

Greenberg Traurig, LLP

1840 Century Park East | Suite 1900 | Los Angeles, CA 90067-2121

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Eli Wade-Scott <ewadescott@edelson.com>

Thu, Feb 15, 2024 at 2:55 PM

To: Rebekah.Guyon@gtlaw.com

Cc: aprather@edelson.com, Ballon@gtlaw.com, ocarrollK@gtlaw.com, Adam.Korn@gtlaw.com, Cassidy.Kim@gtlaw.com, Laura.Lacarccl@gtlaw.com, Chrystal.Pham@gtlaw.com, rbalabanian@edelson.com, movca@edelson.com, hhilgoss@edelson.com, epenkowski@edelson.com, Jay Edelson <jedelson@edelson.com>

Rebekah -

We're happy to engage with you in an information exchange, but it's very surprising to get a request from you today without so much as an acknowledgment of our letter of yesterday, which—as we explained—is urgent. This also obviously isn't the first unilateral demand from you to us, and I don't want this to be a continuation on the same theme. Can we schedule a meet and confer to work this out?

(A short logistical note: please be sure to include Jay on e-mails. And Austin is our (incredibly able) paralegal on this matter, but he should not be the primary recipient on e-mails intended for counsel in this case.)

Eli

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J. Eli Wade-Scott

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Rebekah.Guyon@gtlaw.com <Rebekah.Guyon@gtlaw.com>

Thu, Feb 15, 2024 at 8:13 PM

To: ewadescott@edelson.com

Cc: aprather@edelson.com, Ballon@gtlaw.com, ocarrollK@gtlaw.com, Adam.Korn@gtlaw.com, Cassidy.Kim@gtlaw.com, Laura.Lacarccl@gtlaw.com, Chrystal.Pham@gtlaw.com, rbalabanian@edelson.com, movca@edelson.com, hhilligoss@edelson.com, epenkowski@edelson.com, jedelson@edelson.com

Eli,

We will be sure to include Jay. I was using the email addresses from Austin's email to me yesterday regarding this matter, which did not include Jay, but no problem.

To date, you have refused to advise us whether you will grant us the professional courtesy of a continuance of the deadline to respond to the complaint—a professional courtesy that you now call a “unilateral request” (notwithstanding that Melvin's is one of the last filed suits in this matter and we have been granted or the court has ordered extensions or a stay in all other earlier-filed cases).

You have also not responded to our request that you identify who disclosed 23andMe's mediation privileged information to you, and what was disclosed, which is a serious violation of the mediation confidentiality agreement for the mediation that your firm refused to participate in.

Instead, *after* business hours last night, you sent us a letter claiming that you have made an “urgent” discovery that is a “drastic, seemingly urgent expansion” on 23andMe's practices. This letter, like many things your firm has disseminated in the media, contains only patently false assertions. 23andMe has publicly disclosed its relationship with GSK and the option for customers to participate in research for *years*. See our May 25, 2023 10-k for example.

We continue to request the following:

- Stipulation to extend our response deadline for Melvin's complaint
- Plaintiffs' email addresses used to register with 23andMe

We are happy to get on a call to discuss all of these matters, but if you will not grant us the courtesy of a brief extension on our response deadline, please send us the email addresses tonight so that we can assess how to respond to plaintiffs' claims by Tuesday.

We are available at 10 a.m. tomorrow to discuss.

Regards,

Rebekah S. Guyon

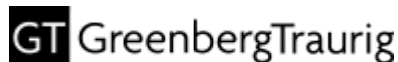
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From: Eli Wade-Scott <ewadescott@edelson.com>

Sent: Thursday, February 15, 2024 12:55 PM

To: Guyon, Rebekah S. (SHLD-LA-LT) <Rebekah.Guyon@gtlaw.com>

Cc: aprather@edelson.com; Ballon, Ian (Shld-LA-SV-LT-IP-TECH-ENT) <Ballon@gtlaw.com>; O'Carroll, Kristin (Assoc-SFO-LT) <ocarrollK@gtlaw.com>; Korn, Adam (Assoc-LA-LT) <Adam.Korn@gtlaw.com>; Kim, Cassidy (Assoc-SFO-GvtCntr) <Cassidy.Kim@gtlaw.com>; Lacarcel, Laura (Assoc-LA-LT) <Laura.Lacarcel@gtlaw.com>; Pham, Chrystal (Para-SFO-Labor-EmpLaw) <Chrystal.Pham@gtlaw.com>; rbalabanian@edelson.com; movca@edelson.com; hhilligoss@edelson.com; epenkowski@edelson.com; Jay Edelson <jedelson@edelson.com>

Subject: Re: [Ext] Melvin v. 23andMe, Inc., No. 24-cv-487-EMC (N.D. Cal.) - Request for Email Addresses

EXTERNAL TO GT

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Eli Wade-Scott <ewadescott@edelson.com>

Thu, Feb 15, 2024 at 10:16 PM

To: Rebekah.Guyon@gtlaw.com

Cc: aprather@edelson.com, Ballon@gtlaw.com, ocarrollK@gtlaw.com, Adam.Korn@gtlaw.com, Cassidy.Kim@gtlaw.com, Laura.Lacarcel@gtlaw.com, Chrystal.Pham@gtlaw.com, rbalabanian@edelson.com, movca@edelson.com, hhilligoss@edelson.com, epenkowski@edelson.com, jedelson@edelson.com

Rebekah -

You've reiterated what it is that 23andMe wants: (1) complete agreement to the extension and *de facto* stay requested by your motion, and (2) information about our Plaintiffs' accounts. You have not responded to any of the pending requests we've made: specifically, and most urgently, a response to our letter about 23andMe's plans to sell user data, and the redlines you promised to the stipulation on arbitration. (You do acknowledge that you received the letter, but your sole comment on it is non-responsive: the partnership with GlaxoSmithKline is not the subject of the letter.)

You also ignore that we responded to your assertions about mediation privilege (you don't offer any practical or legal reason for us to offer you that information from a unilateral request), and that we agreed to receive the information provided by 23andMe at mediation confidentially and would review a stipulation on that point. We've also offered to address your concerns about piecemeal work happening by ensuring that all plaintiffs' firms sign on to the arbitration stipulation, but we haven't had a response on that. Finally, I'd like to address your assertion that statements we've "disseminated in the media" are "patently wrong," but you haven't identified a single statement. Please tell us specifically what it is you are referring to.

I'm happy to discuss resolution of these issues with you tomorrow, but if 23andMe's position remains a demand for full capitulation with zero reciprocity, I doubt we will make progress. Please speak to your client about actually working with us

on the issues we've raised, and we will do the same.

Finally, I'm reading between the lines that you intend to respond to Plaintiffs' complaint on Tuesday despite the motion for extension. We're not going to seek to default you (or otherwise argue that 23andMe has waived anything) while the motion for extension is pending. If you'd like us to sign a stipulation to that effect, we're happy to review.

Eli

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